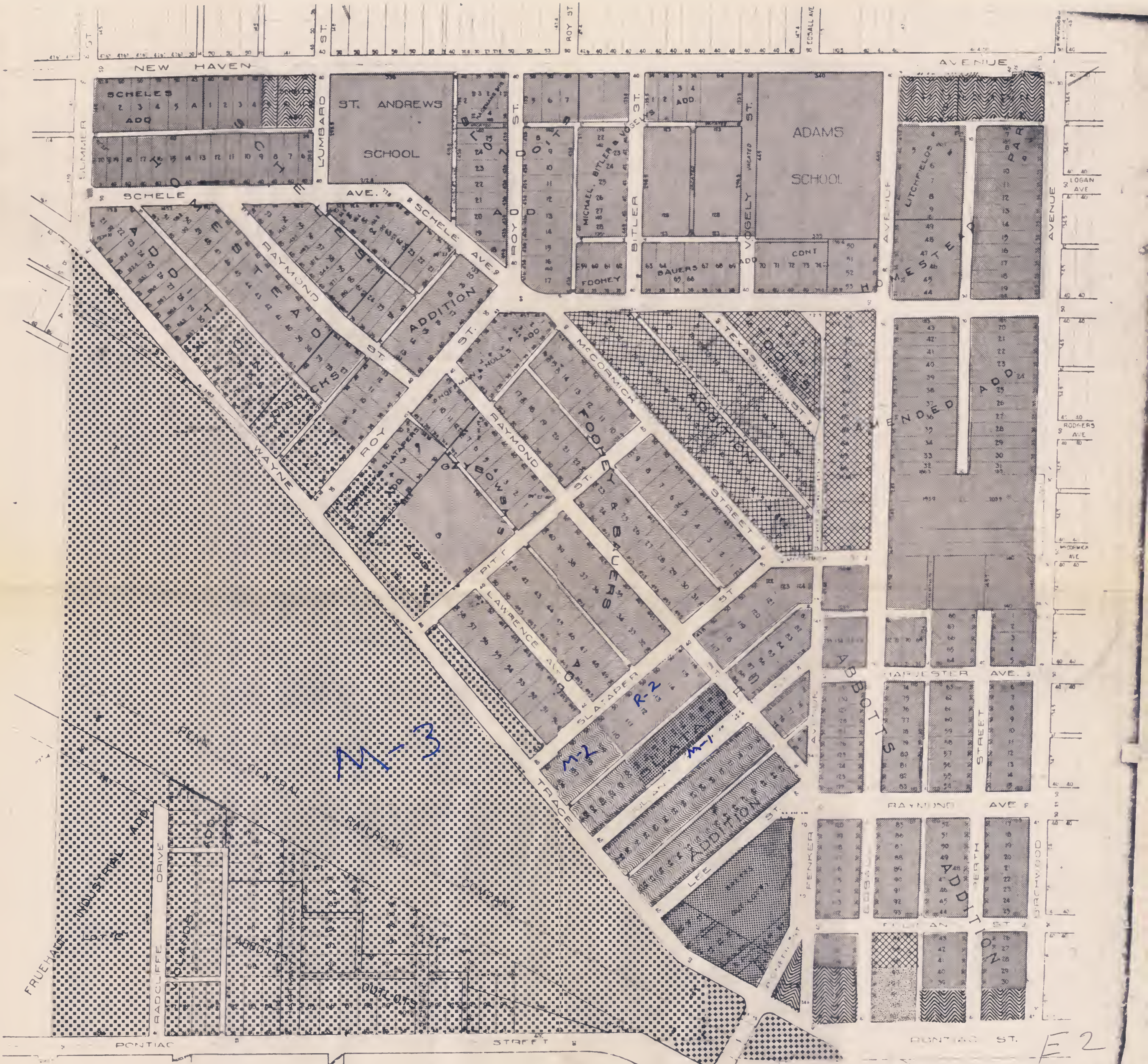


SOUTHEAST 1/4 SECTION 7
TOWNSHIP 30 NORTH, RANGE 13 EAST
(ADAMS TOWNSHIP)
CITY ENGINEERING DEPT.
SCALE 1"=100'

Q-3

BILL NO. Z-81-07- 15

ZONING MAP ORDINANCE NO. Z-28-81

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974:

> Lots Numbered 110, 111, 112, 113, 114, 115 in Slataper's Addition, and that part of Lot Numbered 116 in Slataper's Addition which is southwest of Raymond Street, all in Fort Wayne, Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. Q-3, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

[signature]
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY JULY 10, 1981.

[signature]
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by GiaQuinta, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the ~~Council Chambers~~, City-County Building, Fort Wayne, Indiana, on ________, the ________ day of ________, ~~19~~____, at ____ o'clock ____ M.,E.S.T.

DATE: 7-14-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	1			
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
SCHOMBURG	X				
STIER		X			
TALARICO	X				

DATE: 9-8-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ ~~(APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ No. Z-28-81 on the 8th day of September, 19 81.

ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of September, 19 81, at the hour of 11:30 o'clock A M.,E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of Sept. 19 81, at the hour of 11 o'clock A M.,E.S.T.

Win Moses Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-81-07-15

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-3

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

MARK E. GiaQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN — Samuel J. Talarico

VIVIAN G. SCHMIDT — Vivian G. Schmidt

JAMES S. STIER

DONALD J. SCHMIDT — DJ Schmidt

9-8-81

CONCURRED IN

DATE ______ CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

12 August 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held July 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-07-15

2. From R-2 to M-1

3. Intended Use: Extension of an office/warehouse.

4. Plan Commission Recommendation: DO PASS with conditions and for the following reason.

   REASON: This request will not establish an undesirable precedent in the area because it will not encroach into the residential neighborhood located to the west of the site.

CONDITIONS:

a. The property is to be fenced, landscaped, paved and lighted in a manner that will protect the residential properties to the west.

b. The developer will submit a site plan for approval by the Commission prior to issuance of any permits.

c. An agreement signed by the property owner stating his concurrance with the two subsequent conditions will permit the Plan Commission to forward the petition to City Council.

NOTE: Attached to the original ordinance is a copy of the agreement signed by the petitioner and a copy is attached for your information.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-07-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance July 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1981.

Certified and signed this
12th day of August 1981.

Dennis J. Grotrian (signature)

Dennis J. Grotrian
Secretary

BUSINESS FORM—PRODUCT OF WILSON JONES Grayline

RECEIPT Date June 9 1981 No. 15969

Received From Schenkel & Lippek

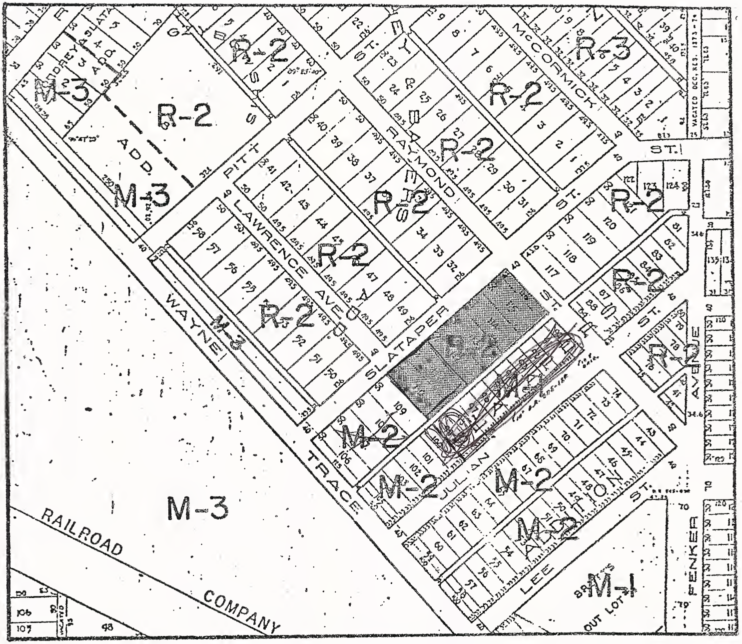
Address 520 South Calhoun St

Fifty dollars Dollars $50.00

For Rezoning Filing Fee

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	00	CASH		
AMT. PAID	50	00	CHECK	# 2644	
BALANCE DUE	0	00	MONEY ORDER		

By Gary S. Baxter (signature)



ZONING RECLASSIFICATION FROM AN R-2 TO A M-I DISTRICT.

110
111

Z-81-07-15

MAP NO. Q-3

BY G.R. LAX 6-12-81

Wm. P. Creigh Inc.
Commercial—Industrial
Sheet Metal—Built-Up Roofing
Phone 219—424-5247
2433 Slataper Street — P. O. Box 6064 — Fort Wayne, Indiana 46806

August 3, 1981

Mr. Gary F. Baeten
Senior Planner
City Plan Commission
City-County Building
Fort Wayne, Indiana 46802

Re: Bill No. Z-81-07-15

Dear Mr. Baeten:

I am in receipt of a copy of the July 30, 1981 letter which you directed to my attorney, Mr. Norbert J. Schenkel, Jr., concerning the rezoning of lots 110 through 116 in Slataper's Addition.

It is my understanding that the property is to be fenced, landscaped, paved, and lighted in a manner that will protect the residential properties to the west of Slataper Street. Further, we agree to submit a site plan for approval by the City Plan Commission prior to the application for or issuance of any improvement permits for that property.

In that last regard, on the night of the public hearing by the City Plan Commission, we did submit a site plan for the construction of a new building along with the fencing of the entire area. That site plan not only contained location of buildings and fences but also a small rendering of the proposed improvements to be constructed. In fact, that site plan is the actual proposal for that property, and I would request that it be submitted to the Commission for its approval. If there is detail lacking which you require in any area, please let me know so that I can have the architect include that detail for your inspection and approval since it is our every intention to comply with your Commission's conditions which were imposed along with the recommended "DO PASS" to rezone.

Should you have any questions or comments, please feel free to contact either my attorney, John Schenkel, or me at your convenience.

Sincerely,

WM. P. CREIGH, INC.

William P. Creigh

WPC:kg

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. ____________

DATE FILED ____________

INTENDED USE ____________

THIS IS TO BE FILED IN DUPLICATE

~~I~~/We William P. Creigh and Mary Ann Creigh
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R2 District to a/an M1 District the property described as follows:

Lots Numbered 110, 111, 112, 113, 114, 115 in Slataper's Addition, and that part of Lot Numbered 116 in Slataper's Addition which is southwest of Raymond Street, all in Fort Wayne, Allen County, Indiana.

(Legal Descrption) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

~~I~~/We, the undersigned, certify that ~~I am~~/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
William P. Creigh	4125 Dalewood Drive Fort Wayne, Indiana 46815	William P. Creigh
Mary Ann Creigh	4125 Dalewood Drive Fort Wayne, Indiana 46815	Mary Ann Creigh

(If additional space is needed, use reverse side.)

Legal Description checked by ____________

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Schenkel & Tirpak	520 South Calhoun Fort Wayne, Indiana 46802	(219) 424-1333

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

<u>This form is to be filed in duplicate.</u>

5320

Admn. Appr.

DIGEST SHEET

3-81-07-15

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 110 thru 115 and part of Lot 116 in Slataper's Addition.

EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential. Property will become M-1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

September 14, 1981

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 17 and September 24, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Zoning Map Ordinance:

Bill No. Z-81-07-15
Zoning Map Ordinance No. Z-28-81

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 8th day of September, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-07-15 - Z-28-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-3.
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-81-07-15 -- Zoning Map Ordinance No. Z-28-81, was passed by the Common Council on the 8th day of September, 1981, said Ordinance was signed and approved by the Mayor on the 9th day of September, 1981, and remains on file and on record in my office.

Copies of Bill No. Z-81-07-15 - Zoning Map Ordinance No. Z-28-81 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana;

(1) The main floor of the City-County Building

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-07-15 - Zoning Map Ordinance No. Z-28-81 will by available for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated on September 17, 1981.

Charles W. Westerman

Charles W. Westerman, City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	52
Tail	number of lines	2
	Total number of lines in notice	54

COMPUTION OF CHARGES

54 lines, 1 columns wide equals 54 equivalent lines at .276¢ cents per line $ 14.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra copies 1.50

TOTAL AMOUNT OF CLAIM. $ 16.40

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date

Title CLERK

Notice is hereby given thet on the 8th dey of September, 1981, the Common Council of the City of Fort Weyne, Indiene in Regular Session did pess the following Bill N. Z-81-07-15 - Z-28-81; being AN ORDINANCE emending the City of Fort Weyne Zoining Mep of No. Q-3.

I, Cherles W. Westermen, Clerk of the City of Fort Wayne, Indiene do hereby certify that Bill No. Z-81-07-15 — Zoning Map Ordinence No. Z-28-81, was passed by the Common Council on the 8th dey of September, 1981, said Ordinence wes signed end epproved by the Meyor on the 9th day of September, 1981, end remeins on file end on record in my office.

Copies of Bill No. Z-81-07-15 - Zoning Mep Ordinence No. Z-28-81 will be posted for reeding in the following pleces in Fort Weyne, Allen County, Indiene;

(1) The main floor of the City-County Bullding

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(3) The bulletin board in the lobby et the Eest door of the Allen County Court House

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(1) Reference Room in the north end of the main floor in said Downtown Public Librery

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Weyne, Indiana

Charles W. Westerman,
City Clerk

I, Cherles W. Westermen, Clerk of the City of Fort Wayne, Indiene, fulfilled end posted the above ordinence in the designated pleces as stated on September 17, 9181.

Cherles W. Westerman,
City Clerk

9—17-24

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/17 - 9/24/81

D Roose

Subscribed and sworn to before me this 24th day of September 19 81

Anne M. Parkins
Notary Public

My commission expires November 29, 1981

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM. $ 16.40

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date Sept.24, 19 81

Title CLERK

Form 903

file and on record...

Copies of Bill No. Z-81-07-15 - Zoning Map Ordinance No. Z-28-81 will be postad for reading in the following places in Fort Wayna, Allan County, Indiana;

(1) The main floor of the City-County Building

(2) The bulletin boerd in the lobby of Downtown Fort Wayne Public Librery

(3) Tha bulletin board in the lobby at the East door of the Allen County Court House

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(1) Raferanca Room in the north end of the main floor in said Downtown Public Library

(2) The Journel of the Common Council Proceedings in the Office of tha City Clerk of Fort Wayne, Indiana

Charles W. Westerman, City Clark

I, Charles W. Westerman, Clark of the City of Fort Wayne, Indiana, fulfillad and posted tha above ordinanca in tha designatad places as atated on September 17, 9181.

Charles W. Westerman, City Clark

9—17-24

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/17 - 9/24/81

D Roose

Subscribed and sworn to before me this 24th day of September 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Sept. 24, 81

Title CLERK

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(2) The Journel of the Common Council Proceedings in the Office of the City Clerk of Fort Weyne, Indiana

Charles W. Westerman,
City Clerk

I, Cherles W. Westerman, Clerk of the City of Fort Weyne, Indiene, fulfilled end posted the above ordinance in the designeted pieces as steted on September 17, 9181.

Cherles W. Westerman,
City Clerk

9—17-24

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/17 - 9/24/81

Arvilla DeWald

Subscribed and sworn to before me this 24th day of September 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Sept. 24, 19 81

Title CLERK

Form 904

dinance was signed and approvad by the Mayor on the 9th day of September, 1981, and remains on fila and on record in my office.

Copies of Bill No. Z-81-07-15 - Zoning Map Ordinanca No. Z-28-81 will be posted for raading in the following places in Fort Wayne, Allen County, Indiana;

(1) The main floor of the City-County Building

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library

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(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman,
City Clerk

I, Charles W. Westarman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted tha above ordinance in the designated places as stated on September 17, 9181.

Charles W. Westerman,
City Clerk

9—17-24

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/17 - 9/24/81

Arvilla DeWald

Subscribed and sworn to before me this 24th day of September 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981